



Steven W. Gold  
Steven G. Mintz\*  
Jeffrey D. Pollack\*  
Elliot G. Sagor  
Ira Lee Sorkin  
Lon Jacobs  
Steven A. Samide  
Scott A. Klein  
Terence W. McCormick\*\*\*  
Robert B. Lachenauer  
Roger L. Stavis  
Howard M. Topaz  
Philip E. Altman  
Charles A. Ross\*\*  
Richard M. Breslow  
Barry M. Kazan\*  
Craig D. Spector\*  
Kevin M. Brown  
Alexander H. Gardner  
Heath Loring  
Peter Guirguis

Matthew S. Seminara  
Julia B. Milne  
James W. Kennedy  
Ryan W. Lawler\*  
Andrew A. Smith  
Amit Sondhi  
Michael Mooney  
Adam K. Brody  
Andrew E. Steckler  
Alex J. Otchy\*  
Allison Pridmore  
Victoria F. Muth  
Carli M. Aberle  
Zachary J. Turquand  
Kellyann T. Ryan  
Jason Leach\*\*\*\*  
Sitie "Esther" Tang  
Benjamin S. Cotler

\*Also admitted in New Jersey  
\*\*Also admitted in Florida  
\*\*\*Also admitted in California  
\*\*\*\*Also admitted in Texas

**Senior Counsel**  
Jack A. Horn  
Noreen E. Cosgrove  
Timothy J. Quill, Jr.

**Of Counsel**  
Honorable Vito J. Titone (*dec.*)  
*NY State Court of Appeals 1985–1998*  
Harvey J. Horowitz (*dec.*)  
Honorable Howard Miller  
*NY Appellate Div. 1999–2010 [ret.]*  
Alan Katz  
Eric M. Kutner  
Andrew P. Napolitano°  
Brian T. Sampson  
Erica Nazarian  
Tara Shamroth  
Jared Van Vleet

°Admitted to practice only before all courts  
in New Jersey and all Federal Courts in New York City

November 20, 2024

**Via ECF**

Hon. Jessica G. L. Clarke  
Daniel Patrick Moynihan  
United States Courthouse  
500 Pearl Street  
New York, NY 10007-1312

Re: *Wheatley v. GMDSS LLC et al*, No. 1:24-cv-07323 (JGLC)

Dear Judge Clarke:

We are counsel to Defendants in the above-captioned action. In an Order entered October 2, 2024 (ECF No. 9), the Court directed the parties to provide the Court with an update on settlement discussions within 45 days of service of the Summons and Complaint in the Action and by that letter to advise the Court whether the Action should be referred to mediation or a status conference should be scheduled. We write now on behalf of both parties to update the Court and request additional time to allow settlement discussions to continue.

The parties have had productive settlement discussions. The parties are optimistic they will be able to reach a settlement in principle soon. We, therefore, propose that we file a joint letter by no later than January 15, 2025, updating the Court



November 20, 2024  
Page 2

on the status of the parties' discussion. If the parties have not reached a settlement in principle by that time, they will inform the Court whether they believe mediation would be useful.

We would be happy to discuss further at the Court's convenience if needed.

Respectfully submitted,

/s/ Kevin M. Brown

Steven G. Mintz  
Kevin M. Brown  
MINTZ & GOLD  
600 3rd Ave, 25<sup>th</sup> Floor  
New York, NY 10016  
T: (212) 696-4848  
F: (212) 696-1231  
mintz@mintzandgold.com  
brown@mintzandgold.com  
*Attorneys for Defendants*

cc: Counsel of Record (via ECF)